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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/601,846	09/19/2000	Eduard Bruck	22599 N1PCTU	3778
7590		04/21/2004	EXAMINER	
Martin A Farber		TRAN, KHOA H		
Suite 473		ART UNIT		
866 United Nations Plaza		PAPER NUMBER		
New York, NY 10017		3634		

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/601,846

Applicant(s)

BRUCK, EDUARD

Examiner

Khoa Tran

Art Unit

3634

WJ

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 and 39-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 and 39-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 01/20/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Drawings

The proposed drawings correction and/or the proposed substitute sheets of drawings, filed on January 20, 2004 have been approved.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 23 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. With respect to claim 23, the set forth of the two solid boundary layers (52) and the foamed central layer (54) to be "as lamina of a single laminated body" constitutes new matter because there is no support in the specification for the layers to be "laminated" as a single body.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 23, 32, 36, 37, and 42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle and Juriga . Welch discloses a door internal element (80), see Figures 3 and 4, arranged between a door outer side (12) and an inner lining (100) comprising a door inner element of a foam layer (80) formed between two solid boundary layers (74, 90 and 86), and a seal body that is a part of the internal door element (103) disposed at an edge thereof for absorbing the collapse arm rest. See Figures 3 and 4. With respect to claim 32, Welch teaches the door inner element (96) that is partial offset wall having a wide face portion and a groove for receiving a strip insert therein. With respect to claim 42, Welch teaches a removal of the door inner element so that to create an access opening to receive the collapse arm rest and access to the foam layer. Welch does not teach the foam door inner element being a foam injected door element. However, Doolittle teaches the foam injected (40) door element sandwiched between two rigid substrates (36, 38). See column 2, lines 10-14. See Figure 2. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the door inner element of Welch to be a foam injected inner door element as taught by Doolittle in order to simplify the manufacture processes, i.e., in stead of spraying the foam over the inner door element that would requires an amount of time for the foam to cool down and adhere to the inner door element before it can be assembled between the door outer side and the inner lining of the door, the foam injected formed inner door would eliminate the time for the

foam to cool down since it isolated between two rigid substrates and ready to assemble to the door outer side and the inner lining of the door. Welch in view of Doolittle is silent on the foam layer being laminated between two layers. However, Juriga teaches a foam layer (36) lamina between two layers (38 and 39), see Figure 2. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the modified internal element of Welch in view of Doolittle to be a laminated between layers as taught by Juriga in order to bond the foam with the layers to form a structurally stable self supporting laminate structure. With respect to claim 36, since there is no significant important to thickness of the door inner element discloses in the disclosure, it would have been an obvious matter of engineering design choice, as determined through routine experimentation and optimization, for one of ordinary skill in the art to dimension a section of the foam layer to be between 0.1 and 0.6 g/cm³ and to dimension a section of the cross section of the door inner element to be between 0.7 and 1.4 g/cm³ and producing no new and unexpected results.

Claims 24 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle and Juriga as applied to claims 23, 32, 36, 37, and 42 above, and further in view of Beaulat. Beaulat teaches a door inner element (3) having a cable holder (5) that shelters wires (5a) under a bridge of the cable holder. See Figure 1. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the modified door inner element of Welch in view of Doolittle with a cable holder as taught by Beaulat in order to prevent cable wires from coming in contact with the metal door and prevent water damage to the wires.

Claims 25, 28, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle and Juriga as applied to claims 23, 32, 36, 37, and 42 above, and further in view of Staser et al. ('553). Staser et al. ('553) teach a single piece molded door inner element having various hardware preformed mounting surfaces. Staser et al. ('553) teach an attachment support (53) with an inserted support plate (50) for mounting a motor, see Figure 2, a speaker-mounting collar (32) for mounting a speaker and a molded-in bushing (78) for receiving wires. See Figures 1, 2 and 4. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the door inner element of Welch in view of Doolittle to have various hardware preformed mounting surfaces as taught by Staser et al. ('553) in order to promote assembly efficiency in mounting various components to the door. With respect to claim 30, Staser et al. ('553) is silent on the material of the inserted plate being made of, however, metal is a well-known and commercially available material per se use in making a support plate. Accordingly, it would have been obvious to one of ordinary skill in the art as a matter of engineering design choice to utilize metal as the particular material to manufacture the inserted support plate therefrom because it is well-within the level of skill in the art to utilize the known feature of the art for the purpose for which it's known.

Claims 26, 27, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle and Juriga as applied to claims 23, 32, 36, 37, and 42 above, and further in view of Wurm et al. Wurm et al. teach a threaded bushing (430b) incorporated there with a cable wire (3). See Figure 1. It would have

been obvious to one of ordinary skill in the art at the time of the invention was made to provide the modified door inner element of Welch in view of Doolittle with the provision of a threaded bushing as taught by Wurm et al. in order secure a cable wire therewith for adjustment of the window. Wurm et al. are silent on the material of the bushing being made of, however, plastic is a well-known and commercially available material per se in making a bushing. Accordingly, it would have been obvious to one ordinary skill in the art as a matter of engineering design choice to utilize plastic as the particular material to manufacture the bushing therefrom because it is well-within the level of skill in the art to utilize the known feature of the art for the purpose for which it's known.

Claims 33, 34, and 35, are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle and Juriga as applied to claims 23, 32, 36, 37, and 42 above, and further in view of Stein et al. Stein et al. teach a sealing body (18) located in a groove (42, 44) that is integrally formed in the door internal element (12). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the modified door inner element of Welch in view of Doolittle with grooves and sealing body as taught by Stein et al. in order to removably fasten to the inner lining without the need of conventional fasteners.

Claims 39, 40, 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch in view of Doolittle and Juriga as applied to claims 23, 32, 36, 37, and 42 above, and further in view of Ishikawa. Ishikawa teaches the door inner element having anchoring apertures (32) with extended tabs, see Figure 8, projected

from the rear end face on the door inner element and to engage with a clip (33) for secure the door inner element with the door outer side (26).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jones et al., Okubo et al., and Massey et al. are cited to show laminated foam between layers that are similar to applicant's lamination of design.

Response to Amendment

Applicant's arguments with respect to claims 23-37 and 39-44 have been considered but are moot in view of the new grounds of rejection.

The new grounds of rejection were necessitated by applicant's amendment, e.g. "as lamina of a single laminated body", see claim 23, lines 6-7.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoa Tran whose telephone number is (703) 306-3437. The examiner can normally be reached on Monday through Thursday from 9:30 A.M. to 7:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola, can be reached on (703) 308-2686. The fax phone number for this Group before a final Office action is (703) 872-9306 and after a final Office action is (703) 872-9327.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khoa Tran

April 18, 2004



Alvin Chin-Shue
Primary Examiner